

February 1, 1978

Docket Nos. 50-275
and 50-323

Pacific Gas and Electric Company
ATT: Mr. John C. Morrissey
Vice President and General Counsel
77 Beale Street
San Francisco, California 94106

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Gentlemen:

**SUBJECT: DIABLO CANYON NUCLEAR POWER PLANT, UNITS 1 AND 2
EXTENSION OF CONSTRUCTION PERMIT COMPLETION DATES**

In response to your requests of November 11, 1976, May 10, 1977, and December 16, 1977, the Nuclear Regulatory Commission has issued an Order extending the construction completion dates for the Diablo Canyon Nuclear Power Plant, Units 1 and 2. In lieu of the latest completion dates of January 1, 1977 and July 31, 1977, as specified previously in Construction Permit Nos. CPPR-39 and CPPR-69, for Units 1 and 2 respectively, the latest completion dates have been extended to September 30, 1978 for Unit 1 and December 31, 1978 for Unit 2.

A copy of the Order and the staff evaluation are enclosed for your information. The Order has been transmitted to the Office of the Federal Register for publication.

Sincerely,

Original Signed by
John F. Stolz
**John F. Stolz, Chief
Light Water Reactors Branch No. 1
Division of Project Management**

Enclosures:

- Order Extending Construction Permit Completion Dates
- Staff Evaluation

cc: See Page 2

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OFFICE	LWR-1:LA	LWR-1: LPM	OELD	LWR-1:BC	
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DATE	12/29/77	12/1/77 1/3/78	1/27/78	1/22/78	

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UNITED STATES NUCLEAR REGULATORY COMMISSION

PACIFIC GAS AND ELECTRIC COMPANY

DIABLO CANYON NUCLEAR POWER PLANT, UNITS 1 AND 2

DOCKET NOS. 50-275 AND 50-323

ORDER EXTENDING CONSTRUCTION COMPLETION DATES

Pacific Gas and Electric Company is the holder of Construction Permit Nos. CPPR-39 and CPPR-69 issued by the Atomic Energy Commission* on April 23, 1968 and December 9, 1970, respectively, for construction of the Diablo Canyon Nuclear Power Plant, Units 1 and 2, presently under construction at the Company's site in San Luis Obispo County, California.

On November 11, 1976, Pacific Gas and Electric Company filed a request for an extension of the completion date for Unit 1. On May 10, 1977, Pacific Gas and Electric Company filed an additional request for further extension of the completion date for Unit 1 as well as for an extension of the completion date for Unit 2. On December 16, 1977, Pacific Gas and Electric Company filed a third request for further extension of the completion dates for Units 1 and 2.

On May 11, 1976 and September 10, 1976, the Commission's staff published Supplements 4 and 5 to the Safety Evaluation Report for the Diablo Canyon Nuclear Power Plant documenting the need for a reevaluation of the plant's seismic capabilities, the criteria to be used in the reevaluation and the staff's request that Pacific Gas and Electric Company perform such a reevaluation. Additional time is required to

*Effective January 20, 1975, the Atomic Energy Commission became the Nuclear Regulatory Commission and Permits in effect on that day were continued under the authority of the Nuclear Regulatory Commission.

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permit Pacific Gas and Electric Company to evaluate the plant's seismic capabilities, for the Commission to review and evaluate the Company's work, and to conclude the licensing process.

This action involves no significant hazards consideration; good cause has been shown for the delays; an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with the extension; and the requested extension is for a reasonable period, the bases for which are set forth in a staff evaluation dated FEB 01 1978

For further details with respect to this action, see (1) the applicant's requests for extension of the construction permit completion dates dated November 11, 1976, May 10, 1977, and December 16, 1977 and (2) the staff's related evaluation, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C., 20555 and at the Local Public Document Room located in San Luis Obispo County Free Library, P. O. Box X, San Luis Obispo, California, 93406.

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IT IS HEREBY ORDERED that the latest completion date for CPPR-39 is extended from January 1, 1977 to September 30, 1978 for Unit 1 and the latest completion date for CPPR-69 is extended from July 31, 1977 to December 31, 1978 for Unit 2.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by
D. B. Vassallo

D. B. Vassallo, Assistant Director
for Light Water Reactors
Division of Project Management

Date of Issuance: FEB 01 1978

OFFICE	LWR-1:LA	LWR-1:LPM	OELD	LWR-1:BC	LWR:AD
SURNAME	BScott:bs	DAllison	JFStolz	DBVassallo	
DATE	12/29/77	12/1/77 12/29/77	12/27/77	12/25/77	1/30/77

EVALUATION OF REQUEST FOR EXTENSION OF THE CONSTRUCTION PERMIT
COMPLETION DATES FOR THE DIABLO CANYON NUCLEAR PLANT, UNITS 1 AND 2

Introduction

On November 11, 1976, Pacific Gas and Electric Company (PG&E) filed a request for an extension of the completion date for the construction permit of the Diablo Canyon Nuclear Power Plant, Unit 1, from January 1, 1977 to July 1, 1977. On May 10, 1977, PG&E filed a request for a further extension of the completion date for the construction permit for the Diablo Canyon Nuclear Power Plant, Unit 1 to February 1, 1978. In the same request, dated May 10, 1977, PG&E also requested an extension of the completion date for the construction permit for the Diablo Canyon Nuclear Power Plant, Unit 2, from July 31, 1977 to June 30, 1978. On December 16, 1977, PG&E filed a request for further extension of the completion dates for the construction permits for Unit 1 and Unit 2 to September 30, 1978 and December 31, 1978, respectively. In the requests for extensions, PG&E stated that additional time would be required to reevaluate the plant's seismic capability and to complete the licensing process.

Discussion

The construction permit for Unit 1, CPPR-39, was issued on April 23, 1968, and was last modified by the Commission's Order dated July 6, 1976, which extended the latest completion date to January 1, 1977. The construction permit for Unit 2, CPPR-69, was issued on December 9, 1970, and was last modified by the Commission's Order dated February 25, 1976, which extended the latest completion date to July 31, 1977.

PG&E stated in its requests that the extensions were necessary because of the additional time required to reevaluate the plant's seismic capability and to complete the licensing process.

On May 11, 1976 and September 10, 1976, the Commission's staff published Supplements 4 and 5 to the Safety Evaluation Report for the Diablo Canyon Nuclear Power Plant. These supplements documented the need for a reevaluation of the plant's seismic capability, the criteria to be used in the reevaluation and the staff's request that PG&E perform such a reevaluation.

The Commission's staff is following the progress of PG&E's reevaluation. Most of the reevaluation has been completed and is currently being evaluated by the staff. Some reevaluation work remains to be completed by PG&E and the staff expects this work to be completed and submitted for staff review

in the near future. The reevaluation must also be reviewed by the Advisory Committee on Reactor Safeguards and considered by the Atomic Safety and Licensing Board at public hearings before the licensing process can be completed.

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Accordingly, PG&E has requested an extension of the latest completion date in CPPR-39 for Unit 1 to September 30, 1978 and in CPPR-69 for Unit 2 to December 31, 1978.

Conclusion

The Commission's staff has reviewed the information provided in the applicant's submittal, and we conclude that the factors discussed above are reasonable and constitute good cause for delay; and the extension of construction of Unit 1 for 21 months and of Unit 2 for 17 months is justifiable.

As a result of the staff's review of the Final Safety Analysis Report to date, and considering the nature of the delays, we have identified no area of significant safety considerations in connection with the extension of the construction permit completion dates for the Diablo Canyon Nuclear Power Plant, Units 1 and 2.

The assessment of potential environmental impacts associated with site preparation and the construction of Units 1 and 2 of the Diablo Canyon Nuclear Power Plant were addressed in the Final Environmental Statement (FES) issued in May 1973. Since the construction of Unit No. 1 is essentially complete, and construction of Unit 2 is approximately 92% complete, essentially all construction impacts have occurred. The continuation of a construction work force on site for an additional 17 months is not expected to have any increased impact on the local environment or the nearby communities. The staff has determined that the extension of time for completion of work shown in Construction Permit No. CPPR-39 from January 1, 1977 to September 30, 1978 and in CPPR-69 from July 31, 1977 to December 31, 1978, is an administrative action since it does not alter impacts described in the FES or create new impacts not previously addressed in the statement. Having made this determination, the Commission has concluded, pursuant to 10 CFR Part 51.5(d)(4), that an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with the issuance of this extension of time.

The staff finds that this action does not involve a significant hazards consideration, that good cause exists for the issuance of an Order extending the completion dates, and that an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with the issuance of such order.

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Accordingly, issuance of an Order extending the latest completion dates for construction of Diablo Canyon Unit 1, as set forth in CPPR-39, to September 30, 1978 and of Unit 2, as set forth in CPPR-69, to December 31, 1978, is reasonable and should be authorized.

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D. P. Allison, Project Manager
Light Water Reactors Branch No. 1
Division of Project Management

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John F. Stolz, Chief
Light Water Reactors Branch No. 1
Division of Project Management

Dated: FEB 01 1978

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DATE	12/21/77	12/1/77 1/3/78	12/10/77		